

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Gerald Vap present. Chairman Johnson invited the public to address the Commission and announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room. No announcements were made.

#### GENERAL ADMINISTRATION

Notice was duly published September 4, 2012 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held September 11, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Commissioner Jerry Vap left the Commission Hearing Room.

Attention was called to the following proceeding:

Tuesday, September 11, 2012:

B-1718 Commission Hearing Room, Lincoln.  
Supp. 3 In the Matter of Leisure Limousine & Sedan, Inc., Lincoln,  
1:30 seeking authority as a common carrier in Nebraska intra-  
state commerce in the transportation of passengers by taxi-  
cab between points in Lancaster County, and points with  
said county, on the one hand, and, on the other hand,  
points in Nebraska over irregular routes. Commissioner  
Landis presiding as Hearing Officer.

Commissioner Jerry Vap returned to the Commission Hearing Room.

#### COMMUNICATIONS DEPARTMENT

C-4506 In the Matter of the Application Stanton Telephone Company,  
Stanton, seeking approval of an amendment to the Intercon-  
nection Agreement with Sprint Spectrum L.P., Overland Park, Kansas,  
previously approved in Docket C-3040: Motion made by Commissioner  
Anne Boyle, seconded by Commissioner Tim Schram, to enter an order  
approving the application. Motion passed with Commissioners Anne  
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

E-2320 In the Matter of the Application of Perennial Public Power  
District, York, seeking authority to construct, operate and  
maintain an electric transmission line in Fillmore County: Motion  
made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle,  
to enter an order granting the application. Motion passed with Com-  
missioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry  
Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand reported on the letter filed with the Federal Communications Commission (FCC) on August 30, 2012, by AT&T detailing steps the FCC should undertake to begin the transition to an IP-based Network/Ecosystem. The first step is to establish a date certain for an official TDM-services sunset.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-1, In the Matter of the Nebraska Public Service Commission, on  
PO #7 its own motion, seeking to establish guidelines for admini-  
stration of the Nebraska Universal Service Fund: Telebeep,  
Inc.: Motion made by Commissioner Tim Schram, seconded by Commis-  
sioner Anne Boyle, to accept the third-party Agreed Upon Procedures as  
submitted. Motion passed with Commissioners Anne Boyle, Rod Johnson,  
Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska  
271 Telecommunications Infrastructure and Public Safety Depart-  
ment of the Nebraska Public Service Commission, Complainant  
v. Voicecom Telecommunications, Respondent: Motion made by Commis-  
sioner Tim Schram, seconded by Commissioner Anne Boyle, to enter an  
order dismissing the complaint. Motion passed with Commissioners Anne  
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska  
278 Telecommunications Infrastructure and Public Safety Depart-  
ment of the Nebraska Public Service Commission, Complainant  
v. TTI National, Inc., Respondent: Motion made by Commissioner Tim  
Schram, seconded by Commissioner Anne Boyle, to enter an order dis-  
missing the complaint. Motion passed with Commissioners Anne Boyle,  
Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Sue Vanicek informed the Commission that Lifeline Awareness  
Week is September 10-16, 2012.

RULES AND REGULATIONS

Rule and In the Matter of the Nebraska Public Service Commission, on  
Regulation its own motion, seeking to amend Title 291, Chapter 11,  
#185 Automatic Dialing-Announcing Devices Rules and Regulations,  
to adopt rules in accordance with Nebraska Legislative Bill  
720 [2008] now codified in Neb. Rev. Stat. §§86-236 to 86-257(Reissue  
of 2008): Motion made by Commissioner Tim Schram, seconded by Commis-  
sioner Anne Boyle to enter an order adopting the proposed rules and  
issuing a Certificate of Adoption. Motion passed with Commissioners  
Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting  
AYE.

TRANSPORTATION DEPARTMENT

B-1581 In the Matter of Servant Cab Company, LLC, dba Yellow Cab  
Supp. 1 Company and Capital Cab Company, Lincoln, seeking to trans-  
port passengers and their baggage by taxicab between points  
in Nebraska over irregular routes. RESTRICTION: The transportation of  
passengers and their baggage by taxicab originating from or point to  
point within any territory where a taxicab holds a certificate or per-  
mit, except Douglas, Sarpy and Washington counties, is not authorized.  
HHS Designation: Yes: Motion made by Commissioner Jerry Vap, seconded  
by Commissioner Anne Boyle, to enter an order denying the Motion for  
Reconsideration and/or Rehearing. Motion passed with Commissioners  
Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Com-  
missioner Frank Landis present not voting.

B-1825 In the Matter of Professional Transportation, Evansville,  
Indiana, seeking to acquire, through transfer, the author-  
ity granted to CUSA ES, LLC, dba Coach America Crew Transport, Dallas,  
Texas, in Certificate B-1683: Motion made by Commissioner Jerry Vap,  
seconded by Commissioner Anne Boyle, to enter an order granting the  
application on an emergency basis and revoking Certificate B-1683.  
Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Lan-  
dis, Tim Schram and Jerry Vap voting AYE.

B-1769 In the Matter of Emerald Limousine, Inc., Crescent, Iowa,  
Supp. 2 seeking to institute a new service in the transportation of  
passengers in Nebraska intrastate commerce in limousine  
service by sedan, luxury limousine, van or SUV, between points within  
a 300 mile radius of Omaha, Nebraska, over irregular routes. RESTRIC-  
TION: The transportation of railroad train crews and their baggage is  
not authorized. HHS Designation: No. Motion made by Commissioner  
Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order dis-  
missing the application. Motion passed with Commissioners Anne Boyle,  
Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska  
Motor Carriers Association, Lincoln, seeking authority to  
establish a fuel surcharge in Nebraska Official Goods Tariff 7F and  
Tariff 22: The Tariff 7F fuel surcharge was retained at \$1.20 per  
mile and the Tariff 22 fuel surcharge at \$8.44 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GDC-433 In the Matter of John A. Fecht, Director Warehouse Depart-  
ment, Nebraska Public Service Commission, Complainant, v.  
Mosher's Organic Grain Co., L.L.C., Bushnell, NE, Respondent: John  
Fecht informed the Commission that a Hearing Officer's order was  
entered September 5, 2012 rescheduling the hearing previously set for  
September 11, 2012 to October 17, 2012 at 10:00 a.m. in the Commission  
Hearing Room, Lincoln.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GD-2987 In the Matter of the Application of Commodity Solutions, Inc., Norfolk, seeking authority as a grain dealer pursuant to Neb. Rev. Stat. Section 75-903 (Reissue 1996): Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order granting the grain dealer license. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Ted Burkey	\$	1,228.50
Fred Massing		1,350.00
United States Post Office		1,130.54
Voyager		2,344.62
Kent Pribyl		1,169.86
Tim Schram		490.62

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

A.G.N. Sales	\$	872.77
Alternative Hearing		1,005.90
Amplified Phone Services		1,004.58
Beltone		2,807.66
Complete Hearing Solutions		1,311.79
Glassman Hearing Aid Technology		189.95
Carl A. Johnson		449.84
Professional Hearing Aide Services		1,040.60
Sherard Hearing Aide Center		389.85
Sprint Communications		399.98
Talk to Me Technologies		1,000.00
Teltex		2,521.35
Weitbrecht Communications		255.20

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter into closed session to discuss personnel issues. The Commission entered into closed session at 10:17 a.m. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to return to open session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission returned to open session at 10:30 a.m.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to revise the status of employees in the Manufactured Housing Department from part-time permanent status to full-time permanent status effective October 1, 2012. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve the 2013-2014/2014-2015 agency budget submission. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

The Executive Director discussed the Commission's broadband mapping project and the impact of Connect America Fund Phase I waivers being proposed to the Federal Communications Commission.

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The meeting adjourned at 11:10 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held on September 11, 2012 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on September 10, 2012.

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Chairman

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Executive Director